

## EXHIBIT 5

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  JAMES DAL BON #157942 LAW OFFICES OF JAMES DAL BON 28 NORTH FIRST ST. SUITE 210 SAN JOSE, CA 95113		FOR COURT USE ONLY
TELEPHONE NO.: (408)297-4729 FAX NO. (Optional):		
E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): PLAINTIFF		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA STREET ADDRESS: 191 NORTH FIRST STREET MAILING ADDRESS: CITY AND ZIP CODE: SAN JOSE, CA 95113 BRANCH NAME:		
PLAINTIFF/PETITIONER: SABAS MACIEL MATA  DEFENDANT/RESPONDENT: EDWARD ULRICK		CASE NUMBER: 108CV107997
PROOF OF SERVICE OF SUMMONS		Ref. No. or File No.: 268806

(Separate proof of service is required for each party served.)

- At the time of service I was at least 18 years of age and not a party to this action.
- I served copies of:
  - summons
  - complaint
  - Alternative Dispute Resolution (ADR) package
  - Civil Case Cover Sheet (served in complex cases only)
  - cross-complaint SUMMONS; COMPLAINT; ALTERNATIVE DISPUTE RESOLUTION INFORMATION SHEET; CIVIL LAWSUIT NOTICE; CIVIL CASE COVER SHEET
  - other (specify documents): SHEET
- a. Party served (specify name of party as shown on documents served):  
EDWARD ULRICK DBA ULRICO SERVICES
  - Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
- Address where the party was served: 680 Kifer Road  
Sunnyvale, Ca
- I served the party (check proper box)
  - by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): 3/27/2008 (2) at (time): 7:00AM
  - by substituted service. On (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):
    - (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
    - (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
    - (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
    - I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): from (city): or  a declaration of mailing is attached.
    - I attach a declaration of diligence stating actions taken first to attempt personal service.

DEFENDANT/RESPONDENT: EDWARD ULRICK

5. c.  by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,

(1) on (date):

(2) from (city):

(3)  with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgement of Receipt.) (Code Civ. Proc., § 415.30.)(4)  to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)

d.  by other means (specify means of service and authorizing code section):

Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a.  as an individual defendant.b.  as the person sued under the fictitious name of (specify):c.  as occupant. EDWARD ULRICK DBA ULRICO SERVICESd.  On behalf of (specify):

under the following Code of Civil Procedure section:

<input type="checkbox"/> 416.10 (corporation)	<input type="checkbox"/> 415.95 (business organization, form unknown)
<input type="checkbox"/> 416.20 (defunct corporation)	<input type="checkbox"/> 416.60 (minor)
<input type="checkbox"/> 416.30 (joint stock company/association)	<input type="checkbox"/> 416.70 (ward or conservatee)
<input type="checkbox"/> 416.40 (association or partnership)	<input type="checkbox"/> 416.90 (authorized person)
<input type="checkbox"/> 416.50 (public entity)	<input type="checkbox"/> 415.46 (occupant)
	<input type="checkbox"/> other:

7. Person who served papers

a. Name: Louis Gutierrez

b. Address: Professional Legal Services, Inc., P.O. Box 28404, San Jose, CA 95159

c. Telephone number: 408-280-0700

d. The fee for service was: \$ \$99.50

e. I am:

(1)  not a registered California process server.  
 (2)  exempt from registration under Business and Professions Code section 22350(b).  
 (3)  a registered California process server.  
 (i)  owner  employee  independent contractor.  
 (ii) Registration No.: 1057  
 (iii) County: Santa Clara

8.  I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

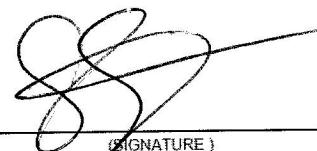
or

9.  I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: March 27, 2008

Louis Gutierrez

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)


 (SIGNATURE)